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III. AMENDMENTS TO THE DRAWINGS

None.

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IV. REMARKS/ARGUMENTS

Status

Claims 1-3 are currently pending in the Application. The Examiner has re-opened prosecution after the Applicants' appeal filed on 02/17/09, and has rejected claims 1-3 based upon new grounds. Claims 1-3 now stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 2-3 have been rejected under 35 U.S.C. §112, first paragraph. Claims 2-3 have also been rejected under 35 U.S.C. §112, second paragraph. Additionally, claims 1-3 have been rejected under 35 U.S.C. §102(b) as being anticipated by the newly cited reference U.S. Patent No. 6,023,691 issued to Bertrand et al. (Bertrand).

Rejection under 35 U.S.C. §101

The Examiner has rejected claims 1-3 under 35 U.S.C. §101 as being directed to non-statutory subject matter as the claims "set forth a limitation of an integrated tool and application system that can be interpreted as computer software (see specification page 6) that is not embodied in a computer readable medium." Claims 1-3 have been amended to more clearly point out that the process learning aid comprises a computer based system including a workstation and software providing an integrated tool ... , and a graphical user interface providing user interactive access to the integrated tool via the workstation, and that at least one of graphical, audio or textual materials is output via the graphical user interface to the workstation. The Applicants submit that no new matter has been added by these amendments to claims 1-3 (see the Specification at page 3, line 25 to page 4, line 5; page 6, lines 13-18; page 7, lines 23-26; page 8, lines 20-27; and Figure 2). As now amended, the Applicants submit that claims 1-3 are directed toward statutory subject matter in the form of

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a computer based system including a workstation and software providing an integrated tool ... and a graphical user interface, where the integrated tool outputs graphical, audio or textual materials via the graphical user interface to the workstation, thereby providing training and assistance to a learner/user while the integrated tool is being used. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-3 based upon 35 U.S.C. §101.

Rejection under 35 U.S.C. §112, First Paragraph

The Examiner has rejected claims 2 and 3 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

Regarding claim 2, the Examiner states that claim 2 sets forth the limitation of “action scenario wherein action scenario includes cross functional [scenario] from the process [function] to a supplementary [function]” and that the specification does not provide a teaching how one of ordinary skill in the art can relate the cross function scenario, process function and supplementary function in order to create the action scenario.

The “action scenario” being referred to in claim 2 is shown, for example, in Figure 3 as elements 72, and in Figure 8 as element 72 denoting numbered box 1. Selecting the action scenario 72 in Figure 3 (or clicking on numbered box 1 in Figure 8) directs the user/learner to a base information screen 75 as represented in Figure 9 (see the Specification at page 10, lines 11- 23), which represents actions required of the user/learner to cancel or add part usage. The “cross functional scenario” being referred to in claim 2 is shown, for example, in Figure 3 as the Distribution List box labeled as element 43 (see the Specification at page 10, lines 25-28). Note also that “process functions” are shown respectively in the top portion of the Index 32, while “supplementary functions” are shown in the lower portion of the Index

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32. Selecting the Production Work Order process function directs the user to the Production Work Order Scenario screen of Figure 8, where the user can click box 1 labeled with numeral 72, which then directs the user to screen 75 represented in Figure 9, which is the Cancel/Add Part Usage Action. As described in the Specification at page 10, lines 25-28, and shown in Figure 3, the user while in the work order action scenario 72 can access the distribution list cross-functional scenario as illustrated by the arrows to C, and return from the distribution list cross-functional scenario by the arrows to D. Thus, a cross-functional scenario is included in the action scenario by this linkage to C and D. Additionally the supplementary functions performed while in the cross-functional scenario (creating distribution list) are different from the process functions of creating a Production Work order as further recited in claim 2.

The Applicants submit that one of ordinary skill in the art of computer programming would be capable of implementing such a link from the action scenario to the cross functional scenario without undue experimentation as the level of skill in the art is relatively high for the computer programming art, and linking between different screens is a known technique.

Regarding claim 3, the Examiner states that claim 3 sets forth the limitation of having an option of “... selecting process function categories or related supplementary function categories” and the specification does not provide teaching as to how one of ordinary skill in the art can make or create “process function categories” and “supplementary function categories.”

As indicated above, Figure 4 illustrates the index 32 (of Figure 3) , which lists process function options in the top portion of the box 32 and supplementary function options in the lower portion of box 32. These functions exist as line entries in the index 32 that can

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be selected by clicking the listing, which then directs the user to the appropriate action or cross functional scenarios shown in Figure 3. One skilled in the art of computer programming would be able to implement such a screen for selecting between the process function categories and supplementary function categories without undue experimentation given the teaching of the present invention as the level of skill in the computer programming art is relatively high.

Additionally, the Examiner has failed to consider the Wand factors regarding undue experimentation as required when making a non-enablement rejection under 35 U.S.C §112, first paragraph. (See MPEP § 2164.01(a), citing *In re Wands*, 858 F.2d 731, 737, 8 USPQ2d 1400, 1404 (Fed. Cir. 1988)). Accordingly, the Applicants submit that the Examiner has not established a *prima facie* case of non-enablement under 35 U.S.C §112, first paragraph.

For the above reasons, the Applicants request withdrawal of the rejection of claims 2-3 under 35 U.S.C §112, first paragraph.

Rejection under 35 U.S.C. §112, Second Paragraph

The Examiner has rejected claims 2-3 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly pointing out and distinctly claim the subject matter which applicants regard as the invention.

Regarding claim 2, the Examiner states that:

Claim 2 set forth the limitation of a task scenario and an action scenario. The applicant further define the action scenario as “ ... cross functional scenario from the process function and being outside the process function task.” The current specification and disclosure fails to provide a definition of the cross function scenario, the supplementary function and the process function task. As such the examiner is unable to determine either of these limitations, what is included in the supplementary function and what is outside the processes function task. Furthermore, the examiner also takes the position that it is unclear from the specification and claim language

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what constitute and “an action scenario.” The specification only provides a scant mention of the action scenario and task scenario (see page specification page 10 and FIG. 8 9). As such the examiner can not determine what can be interpreted as an “action scenario” and “task scenario”. Further clarification from the application on these matters would be appreciated.”

An explanation of the terms “action scenario”, “cross functional scenario”, “process function”, and supplementary function” has been provided above with regard to the rejection under 35 U.S.C. §112, first paragraph.

Additionally, as discussed above, an “action scenario” is shown in Figure 3 as box 72. As discussed on page 10, lines 15-23, an “action scenario” is illustrated by way of the screen of Figure 9, which provides the actions required for a user to cancel or add part usage for the work order process used in the exemplary embodiment of the present invention.

The Applicants submit that the Specification sufficiently explains the above terms such that one of ordinary skill in the art would recognize the meaning of the above terms as used in Claim 2. Accordingly, the Applicants respectfully request reconsideration, and withdrawal of the rejection of claim 2 under 35 U.S.C. §112, second paragraph.

Regarding claim 3, the Examiner states that:

Claim 3 set forth the limitation of “process function categories” and “supplementary function categories”. The current specification and disclosure fails to provide a definition of the process function categories and the supplementary function categories. As such the examiner is unable to determine either of these limitations. Claim 3 also set forth the limitation of “ ... application system being used to carry out business process defined by the business process ... “ This definition can be construed as a circular definition (being defined by itself) that renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention.

With regard to the above rejection of claim 3 under 35 U.S.C. §112, first paragraph, the Applicants have pointed out where the meaning of the terms “process

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function” categories and “supplementary function” categories can be found in the Specification and how selections are made from these categories are from the index screen of Figure 4. Additionally, the Applicants have amended claim 3 to remove the circular definition pointed out by the Examiner by removal of the words “defined by the business process.”

In view of the foregoing, the Applicants submit that one of ordinary skill in the art would be able to determine the meaning of “process function categories” and “supplementary function categories” from the specification, and that claim 3 is not indefinite under 35 U.S.C. §112, second paragraph. Accordingly, the Applicants respectfully request reconsideration and withdrawal of this ground for rejecting claim 3.

Rejection under 35 U.S.C. §102(b)

The Examiner has rejected claims 1-3 under 35 U.S.C. §102(a) as being anticipated by Bertrand.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987), cert. denied, 484 U.S. 827 (1987).

Claims 1-3 have been amended to more particularly point out that the scenario providing instruction (or guidance) of actions necessary to complete the business process are provided through at least one of graphical, audio, or textual materials output via the graphical user interface to the workstations, while the business process is being carried out, i.e., the user of the tool is provided instruction (or guidance) as to what actions are necessary to complete the business process by graphical, audio, or textual materials output via the

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graphical user interface to the workstation, while the business process is being carried out.

This is in contrast to the learning tool described in Bertrand, where the user completes all the steps of the process prior to any feedback from the expert ICAT system in the form of text, video, audio, URIs, or actions that manipulate the Domain Model that records actions of the student using the tool (see column 41, lines 16-47). In Bertrand such instruction is only provided after the user completes all of the actions necessary to complete the business process. Accordingly, Bertrand does not teach the above described feature of the invention where instruction or guidance is provided during the completion of the tasks associated with the business process. Accordingly, the Applicants submit that claims 1-3, as now amended, are not anticipated by the Bertrand reference.

Additionally, regarding claims 2, the Examiner points to Bertrand at column 75, lines 40-65 as teaching “wherein the action scenario includes a cross functional scenario from the process function to a supplementary function, the supplementary function supporting the process function and being outside the process function tasks.” Applicants have reviewed this particular passage in Bertrand, and it appears to be computer code with no reference to a supplementary functions, a process functions, or a cross functional function scenario as detailed above by Applicants response to the rejections under 35 U.S.C. §112, first paragraph and second paragraph. Accordingly, the Applicants submit that for this reason, claim 2 is not anticipated by the Bertrand reference.

For the above reasons, the Applicants respectfully request withdrawal of the rejection of claims 1-3 under 35 U.S.C. §102(b), and allowance of such claims.

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Conclusion

The Applicants submit that claims 1-3 are now in a condition for allowance, and such allowance is respectfully requested.

The Examiner is encouraged to contact the undersigned attorney at the phone number appearing below if any questions remain subsequent to considering this response.

Any fees associated with this response may be charged to General Motors Deposit Account No. 07-0960.

Respectfully submitted,

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